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English Life and Manners in the Later Middle Ages

A. Abram

Routledge Revivals

English Life and Manners in the Later Middle Ages

Annie Abram was born in London in 1869 and died in Sussex in 1930. She contributed significantly to the twentieth-century historiography of late medieval England, researching the social, cultural and religious mores of the English laity and clergy. This title, first published in 1913, comprehensively explores the fabrics of late medieval society using evidence drawn from historical and literary works, official documents and illustrated manuscripts. Largely concentrating on the years between the start of the Black Death in 1348 and the end of the fifteenth century, a period in which we see important developments in the character and organisation of medieval England, chapters discuss the make-up of social order, life in a medieval town, the position of women in society, and the Church's relationship with the laity.

A complementary title to *Social Life in England in the Fifteenth Century* (*Routledge Revivals*, 2013), this fascinating work will be of great value to history students requiring a detailed overview of the framework of late medieval English society and culture.

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The Ruling Classes—Parliament sitting at Westminster, October, 1399.
Harl. MS. 1319; Green, J. R., *Short History of the English People* (Illd. Edn.).

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English Life and Manners in the Later Middle Ages

BY

A. ABRAM

D.Sc. (Lond.); F.R.Hist.S.

WITH 77 ILLUSTRATIONS

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TO

THE MEMORY OF MY FATHER

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PREFACE

To us who are "the heirs of all the ages" the study of our ancestors is one that is most worthy of attention, and nothing, perhaps, helps us more in our efforts to understand them, or gives us a pleasanter sense of intimacy with them than to see them engaged in their ordinary avocations, and in their own homes. So in the following pages I have tried to picture their life in the later Middle Ages, not merely because there is much that is curious and attractive in their manners and customs, but also in the hope of gaining some insight into their characters. My subject is so vast and many-sided that it is impossible to treat it fully within the limits of a single book, and I think that a truer and fairer impression can be conveyed by brief descriptions of several aspects of it than by detailed accounts of one or two. I have therefore adopted this plan even at the risk of appearing somewhat sketchy. The term "later Middle Ages" may, I fear, sound rather vague, but having in a previous study of social life found the inconvenience of rigidly fixed dates, I am determined to avoid them now. I have, however, dealt mainly with the years which lie between the Black Death and the end of the fifteenth century—a period which is fairly homogeneous, and of immense importance in the history of the development of our national character, for it was a time when old institutions and ideals

were breaking down, and many new influences were being brought to bear upon the people.

The study of the lives of past generations is full of difficulties, and no one is more keenly aware than myself of the imperfections of my work, but it has been so interesting and fascinating a task that I have never once regretted undertaking it. I have derived my information chiefly from contemporary sources—historical and literary works, official documents, and illustrated manuscripts, and for the sake of those who may wish to verify my statements, or to go further into any points for themselves, I have given references to my authorities in an appendix.

It is with great pleasure that I take this opportunity of expressing my thanks to Mr. Hubert Hall and Miss E. M. Delf for their helpful suggestions and criticism, to Miss C. W. Arding and Mr. H. Chapman for the gift of photographs, to Dr. Hurry for permission to copy his admirable plan of Reading Abbey, from his *Rise and Fall of Reading Abbey*, published by Mr. Elliot Stock, and to Mr. Holland Young for allowing me to reproduce photographs of the George Inn, Salisbury, and for sending me particulars of its history extracted from the City Archives.

A. A.

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ABBREVIATIONS USED IN THE REFERENCES

Bury Wills : Wills and Inventories from the Register of the Commissary of Bury St. Edmund's and the Archdeacon of Sudbury. Camden Soc., O.S., xlix.

Early Chanc. Proceed. : Early Chancery Proceedings.

Howard Household Books, I : Accounts and Memoranda of Sir John Howard.

Howard Household Books, II : Household Books of John, Duke of Norfolk, and Thomas, Earl of Surrey.

Italian Relation : A Relation of the Island of England.

Rot. Parl. : Rotuli Parliamentorum.

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CHAPTER I

SOCIAL CLASSES

CLASS distinctions were far more real and important in the Middle Ages than they are to-day, and the distance between the upper and lower classes was far greater. Although poverty debars some persons from utilizing some privileges nominally open to all, preferential treatment is not now accorded to any class, but then the Aristocracy enjoyed many advantages. Great deference was paid to them by those who were lower in the social scale, and men sued to them for their favour. They possessed much political influence both in Parliament and outside it. We learn from the *Paston Letters*, that in 1472, the Dukes of Norfolk and Suffolk decided who should be Knights of the Shire for those counties, and that it was impossible for any one else to be elected. They were so powerful that very often their misdeeds went unpunished, because they could not be brought to justice. If a poor man break his oath, says the poet Hoccleve, he is sent to prison, but no one dares openly to accuse a rich man, and great folks take the law into their own hands. The *Liber Niger*, which contains ordinances for the regulation of Edward IV's household, decrees that any one under the rank of a baron swearing by God's body shall have no wine at meals, but, appar-

ently, the higher nobles could do as they pleased. A proclamation announcing a performance of the Corpus Christi play at York orders that no man shall go armed, saving knights and squires of worship who ought to have their swords borne after them. At banquets the order of precedence was very strictly observed, and many cookery books give one recipe for preparing a dish "for a lorde" and another when it was intended for "commyn peple." Privileges such as these may seem rather trivial, but they illustrate the Medieval point of view.

For many centuries the superiority of the upper classes was accepted as a matter of course, but in the later Middle Ages it did not pass unchallenged.

> "When Adam delved and Eve span
> Who was then a gentleman?"

asked John Ball, who incited the peasants to revolt in 1381; but the rising failed, and we have no reason to believe that the bulk of the nation sympathized with it. The author of *Richard the Redeless* was keenly alive to the wrongs of the poor, he scorned to make obeisance to lords and ladies, yet even he repeated with approval an old saying—woe to the kingdom where grooms and nobles are all equally great.

Changes were, however, going on which eventually altered the positions of noble and peasant alike. The Feudal System divided men into lords and vassals, free and unfree. This simple arrangement served well enough as long as they lived either in a castle, or under its shelter, and while war and agriculture were their chief occupations. But when towns became independent, when industry and commerce proved profitable employ-

ments, and the spirit of enterprise grew strong, a system which bound men to the soil was found intolerable. Feudalism was no longer in harmony with the ideas of the Age, it crumbled into decay, and modern society gradually arose on its ruins. New classes came into existence, and the old ones tended to disappear. In the *Rolls of Parliament*, and in petitions to the Chancellor, whose jurisdiction was so important in the fifteenth century, we see, on the one hand, lords asserting that their villeins will not perform their customary services, and on the other, men declaring that they are claimed as bondmen when they are really free. In spite of all opposition, the number of serfs steadily decreased, so that by the end of the Middle Ages they formed a very small proportion of the community. Some fled to the towns, which welcomed them gladly, because more workmen were needed for the growing industries. If they remained there safely for a year and a day, and never returned to their old homes. they became free. Some gained freedom by taking Holy Orders. Others purchased manumission, and the fact that they could amass enough money to accomplish this object is an indication of the improved conditions under which they were living. Indeed, some serfs possessed a considerable amount of property—a man named William Heynes, a villein of the manor of Castle Combe, in Wiltshire, left goods worth £2,000, which was a large sum in those days. As time went on, fewer and fewer tenants rendered personal service, and more and more paid money to their lords instead.

These causes and the diminution of the population

due to the Black Death deprived the lord of many of his vassals. He was obliged to fill their places in his household with hired servants, who were not bound to him by traditional ties like his old dependents. Their service was voluntary, and they could leave him if he did not pay their wages, or if they preferred some other master. Frequently, indentures were drawn up, and signed by both parties, stating the duties of the servant, the period for which he was engaged, and the remuneration he was to receive. This plan was, no doubt, a safeguard, but it is obvious that the position of a master who bargained with his servants was quite different from that of a Feudal magnate. At the same time, the scarcity of labour made it difficult for the lord to cultivate his own private land, the demesne, and he consequently leased out large portions of it. He, therefore, in the course of our period, ceased to be a large farmer, and developed into a landlord of the modern type, subsisting on his rents, but not directly concerned in the produce of the land.

This change in land-tenure had far-reaching results. The land was let to tenant-farmers, who did not render military service, as many free tenants had done under the old régime, but who paid a rent for it. Sometimes the landlord provided both the live and dead stock on the land, which must have been a great assistance to the tenant. The lengths of the leases varied considerably, as well as the amounts of land granted. Some of the farmers had only small plots, but others were well-to-do people. On the whole, these yeomen, as we are in the habit of calling them, seem to have prospered, and they

THE MIDDLE CLASSES—(1) A MERCHANT, (2) A LAWYER.
Ellesmere MS. of Chaucer, *Canterbury Tales;* Green, J. R., *Short History of the English People* (Illd. Edn.).

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formed an important branch of the middle class, whose growth is one of the most striking features in the social life of our period.

Merchants and manufacturers were also prominent members of the middle class. Many of them acquired large fortunes in trade, and their wealth gave them great weight. Frequently, bodies of traders, like the Merchants of the Staple, who exported wool, or rich individuals, like the famous Dick Whittington, financed the king, and he, in return, bestowed honours upon them. They were often employed upon public business, such as negotiating treaties, or arranging royal marriages, and some of them were advanced to the dignity of knighthood. The Duke of Suffolk, who rose to such heights and had such a tragic fall in the reign of Henry VI, was a descendant of Sir William de la Pole, a merchant, who lent money to Edward III. Not only did men of the middle class attain political power, but their social standing greatly improved. They began to intermarry with the gentry and the nobility, and thus the two classes were linked together. Even kings did not disdain to be the guests of tradesmen; Stow tells us that Henry Picard, vintner, Mayor of London, sumptuously feasted four monarchs—Edward III, John of France, David of Scotland, and the King of Cyprus, besides the Prince of Wales and many noblemen. It is pleasant to think that even in those days the City was noted for its hospitality. Probably the dealers in wool and in cloth were foremost amongst traders, but the Mercers (silk-merchants), the Grocers, who sold spices wholesale, the Vintners and the Goldsmiths, and others

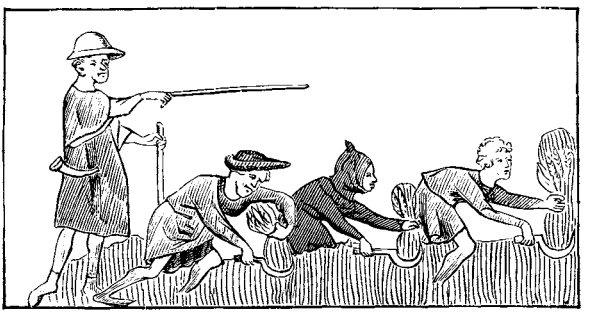
too numerous to specify, were also considered " worthy " men.

The legal profession afforded another ladder by which men could rise in the world. The career of Judge Paston, whose letters are amongst the collection which bears the name of his family, affords an example of what might easily happen. His father, Clement Paston, was so poor that he was obliged to borrow money to send his son to school, but the boy did so well that he was made a serjeant, and finally a judge, and died universally respected. The number of lawyers increased very greatly, owing to the enormous amount of litigation which went on : a statute, passed in the thirty-third year of Henry VI, declares that in time not long past there had been only six or eight attornies for the whole of the counties of Norfolk and Suffolk, but at the date of the Act there were fourscore or more in Norwich alone. In consequence, it was said, many lawsuits arose " more of evil will and malice than of the truth of the thing " : it was therefore decreed that there be only twelve attornies for Norfolk and Suffolk, and two for Norwich. An earlier law (1372) also affords evidence of a feeling of resentment against lawyers, and, perhaps, also a fear that they might exercise too much political influence. It enacted that lawyers practising in the king's courts, who made Parliament a mere convenience for transacting the affairs of their clients to the neglect of public business, should no longer be eligible as Knights of the Shire.

Below the middle class were the workmen—artisans and labourers of various kinds, and whereas there was a

tendency for the upper and lower classes to coalesce, there were signs of cleavage between this class and the one above it. There was, for example, a great divergence of interest between a cloth-manufacturer and the hands he employed. Wealth was beginning to be the criterion of a man's social position, although much deference was still paid to birth. It was a period of transition, in which old and new ideas struggled for predominance. In many of the towns moneyed men monopolized the highest offices and controlled municipal policy. The people did not dumbly acquiesce in their subjection, they raised a tumult if they thought their rights were infringed. A custom placed on food caused a rising in Coventry in 1372, and in 1375 the townsfolk "cast their loaves at the Mayor's head," because the bakers had not kept the assize, and he had not punished them according to his office. There were also several riots because the common fields were enclosed, but the people did not gain their end. Similarly, the government of the country was in the hands of the upper and middle classes, and large numbers of the lower classes were debarred from any share in it. An Act passed in 1430 provided that no man should vote at the election of a Knight of the Shire unless he owned a freehold tenement in the county, of the annual value of forty shillings. The sum sounds small to us, but it represented much more then than it does now, and many persons were prevented from voting by the Act. In these circumstances it is not surprising to find that Parliament paid little heed to the needs of the working classes, and that legislation unfavourable to them was frequently enacted. From

1349 onwards, wages were fixed by Parliament, and it was a punishable offence to give, or to receive, more than the statutory rate. Labourers were not allowed to leave the district in which they lived, even for the purpose of seeking work, unless they had Letters Patent stating the cause of their going. Impressment of labour by the Crown seems to us a great hardship: yet not only soldiers and sailors were liable to it, but workmen of all kinds. A commission, dated December 5, 1441, authorized the king's broiderer to take needleworkers and broiderers necessary for the king's works, to employ them at the king's wages, and to imprison all who resisted. Incidents like this help us to realize how much our working classes have gained in political enfranchisement and freedom of action.



The Working Classes—Reapers.
MS. Roy. 2 B. vii; Green, J. R., *Short History of the English People* (Illd. Edn.).

A Medieval Town—Canterbury at the end of the Fifteenth Century.
MS. Roy. 18 D. ii; Wright, *History of Domestic Manners.*

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CHAPTER II

LIFE AMONGST THE ARISTOCRACY

Love of show and magnificence was a feeling which pervaded society in the Middle Ages, and manifested itself in all kinds of ways. It may be seen in the pageants which graced civic rejoicings, and in the rites and ceremonies of various orders of knighthood. It can even be traced in the elaborate ritual of the Church, enhanced by music and singing. Perpendicular architecture, the most showy of all Gothic styles, is an embodiment of it. Chroniclers reflect the spirit of the Age in the evident pleasure they take in describing feasts and tournaments: they often pay more attention to them than to subjects which later historians might consider far more important. The Aristocracy, perhaps, exhibited this characteristic more fully than other classes, because they had more opportunity for display. A funeral does not suggest itself to us as a suitable occasion for show, but it was solemnized with great pomp in those days. No less than one hundred and sixty persons (apparently members of Sir John Howard's household) went into mourning for Catherine, Lady Howard, and the quantity of food which was provided for the guests at the funeral was enormous. It included two great boars, twelve great oxen, forty sheep, twelve hogs,

twelve swans, eighty geese, and many other items. There were, in addition, three pipes of wine and thirty-two barrels of beer. Nobles kept up great state and would not do anything which detracted from their dignity—the Duke of Suffolk was summoned to London by a letter of Privy Seal—a message which we should have expected him to think very urgent, but it happened that he had very few of his servants with him at the moment, and he would not go, because he thought it would not be " to his worship " to appear in London with a small retinue.

The most impressive ceremonies naturally centred round the person of the king, and fortunately the Ordinances of the Royal Household are still extant, and enable us to see what the etiquette of the Court was like. It seems to have increased in stringency as time went on. The Articles ordained by Henry VII give minute directions for behaviour at all state functions. The Coronation rites are set forth in great detail; we are told exactly what the king ought to do—when he must sit, when he must lie, when he must unrobe, when he must robe, and many other points. From actual facts we know how carefully this service was celebrated. When Henry V was crowned the proceedings lasted three days. On the first the king rode in state from Kingston-on-Thames to the Tower. A banquet was given, which a chronicler compared to the feast of an Ahasuerus, and Henry was served by young men who had been chosen to receive knighthood in honour of the event. On the morning of the second day the king heard mass, and then the new knights were created. In the afternoon a

great procession wended its way through the Chepe to Westminster. On the third day the Coronation itself took place, and it was an important and solemn event. The Ordinances of the Household were also greatly concerned with more trival matters, such as the order of precedence to be observed at feasts, and the manner in which the king should be served. This set of rules is in the form of questions and answers, and some of them are very quaint—one decides that if the king ask for wine and spices while a duke and two earls are with him, the highest in rank is to serve him ; another orders that water shall be brought to him, before and after meals, by an earl or a baron. The only persons who were permitted to sit at the royal board were a bishop and a duke, or two earls of royal blood, on the king's side ; and a duchess, and a countess or baroness of royal blood, on the queen's. Other regulations aim at securing privacy for the king. Even minute points, like the order in which New Year's gifts were to be received, and the gratuities to be given to the messengers, are all explained. The whole tendency of Henry VII's ordinances is to increase the dignity of the king, and to place him high above his subjects, and it is an interesting indication of the Tudor policy.

The composition of the Royal Household varied slightly in the course of our period, but it was as a rule a large establishment: to enumerate all the servants in it would be wearisome, but an idea of its size and character in the time of Edward IV can be gained from a sketch of the chief departments and officials given in the *Liber Niger*. There were the offices of the counting-

house, the bakehouse, the pantry, the "waferes," the Butler of England, the "purveyours of wynes," "the sellar," "the buttlarye of ale," the "greate sypcerye," the "confectionarye," the "chaundlerye," the "ewary and napery," the "lavendrey," and a few others. In most of the departments there was a regular gradation of officials—pages, grooms, yeomen, sergeants and clerks. The king had many personal attendants—amongst them were four batchelor knights who acted as his carvers and cupbearers, and he had as well twelve knights of the Household, four of whom were always with him. There were forty squires of the Household, who were to come from sundry shires so that the disposition of the counties might be known through them—a precaution which Edward IV, not sure of the loyalty of his people, must have found very necessary. There were, in addition, squires of the body "to array and unarray the king," the "warderober" and his department, the various officials of the Chamber, "henxmen," the King of Arms, heralds, minstrels, messengers, and one or two more. The king's health was entrusted to a doctor and a surgeon, and he also employed an apothecary and a barber. The dean and the sub-dean of the chapel ministered to the spiritual wants of the community, and they were assisted in the services of the Church by twenty-six chaplains and clerks, two yeomen, and eight children of the chapel. The almoner dispensed the king's charity. In the time of Edward IV the Household was discharged of the Privy Seal and his clerks, and of the Court of the Marshalsea, and of some other officers, except at certain seasons of the year. The Chancellor of England, the

Great Chamberlain, and the Chief Judge of Common Pleas, nominally prominent members of it, could not have spared much time from their public duties for its "stedfast guyding," but its affairs were directed by the treasurer, comptroller, cofferer, king's chamberlain, the steward, and a few other officials.

With such a *ménage* the king's private expenses could not be very small, and we must also take into consideration the cost of providing attendants for the queen and the royal children, and the maintenance of the stables, which are not mentioned in the *Liber Niger*. When Henry VI was ill, and the Household was reduced to a minimum, the queen's retinue numbered one hundred and twenty persons, and Prince Edward's thirty-eight. The royal stables were also reduced. Instead of one "Karre" and five "Chariotts" with thirty-eight horses, Henry only had one "karre" and one chariot with thirteen horses, and only twenty-four saddle and sumpter horses in place of seventy. Edward IV's son had his own establishment. The *Liber Niger* estimated that the Household would cost £13,000 a year, but Henry IV spent as much as £27,000 in one year, and Henry V, on an average, £22,400 a year. His expenses on the day of his Coronation amounted to £971. Edward III seems to have been very generous in rewarding faithful service; we find in the *Issue Rolls* many grants of annuities; "valets" often received £5 a year, or more, and "boys" £3. The queen's attendants were not forgotten, and amongst them was Philippa Chaucer, the wife of the poet. Edward's expenditure was not always devoted to such praiseworthy objects, there are

many entries of payments to his favourite, Alice Perrers, and after his death she was found in possession of 21,868 pearls.

The households of the great nobles were often quite as large as the king's, or larger. Richard, Earl of Warwick, the celebrated king-maker, is said by Stow to have come to London, in 1458, with six hundred men; and other nobles vied with him in the number of their retainers. Their pretensions knew no bounds: they kept up regal state—they had treasurers, comptrollers, stewards—just like the king; some of them even had councils. The retainers did not all live with their lord, but they pledged themselves to serve him in peace and in war, and to come whenever he summoned them. They wore his livery and his badge, and obeyed all his commandments. Some of them were themselves men of good position, and had retainers of their own.

A man who had a body of armed followers always at his beck and call was a very powerful person, more powerful, indeed, than we, who are protected by a standing army and a highly organized police force, can realize. Unfortunately, the nobles made bad use of their power; they were exceedingly proud and turbulent, and continually quarrelling among themselves, and when the succession to the Crown was disputed, and the Government was weak, there was no force strong enough to check them. In the middle of the fifteenth century there were several feuds going on, in different parts of the country, at the same time. In the north of England, Lord Egremont and the Earl of Salisbury behaved as if they were in a land of war. "The grete and grevous

riotes down in the Weste Countrey, betwene th' erle of Devonshire, and the Lord Bonevile" were accompanied by serious outrages. But these affairs were no worse than many others. Sometimes a great lord would take a fancy to the property of one of his neighbours, and eject the rightful owner. Margaret Paston gives a very striking account of the siege of Caister Castle by the Duke of Norfolk's men: she writes that two of the defenders are dead and many others greatly hurt, they lack gunpowder and arrows, and that the place is so broken by the guns of the other party that they are likely to lose both it and their lives, unless hasty help be sent to them. She adds that the besiegers intend to make a great assault on the castle, and are preparing a great multitude of guns and other ordinance for the purpose. After five weeks the Pastons surrendered.

The Aristocracy frequently interfered with the course of justice by intimidating the jury, or winning over the judge. A man wrongfully sued by an opponent who was supported by the Duke of Norfolk, complained to Judge Paston. The judge advised him not to plead, because he would have the worst of it, were his case never so true, and, besides, no man of law in Norfolk or Suffolk would be with him against such an adversary. Judge Paston himself was not a man of straw, he was nicknamed "the Good Judge" on account of his integrity, so his warning is the more significant. If peaceful means failed, lords did not scruple to uphold their retainers by force of arms. Many efforts were made to stop these practices, and many laws were passed against them, but they were quite unavailing because the fore-

most men in the country were amongst the offenders. The magnitude of the evil may be seen by the fact that Parliament was obliged to forbid lords of the Council to receive, cherish, or hold in household, robbers, oppressors of the people, manslayers, felons, outlaws and other misdoers, or to take up any other man's cause or quarrel. It was not until a strong king arose in the person of Henry VII that the lawlessness of the nobles was thoroughly curbed: he went to the root of the matter, and compelled them to reduce the number of their retainers by the practical method of fining them heavily if they kept more than the law permitted.

Although all retainers did not live with their lord, many were members of his household and fed at his table. His catering was therefore on a large scale, even when he had no visitors. Medieval nobles were, however, very hospitable, and entertained largely. The Earl of Warwick required six oxen daily for his household, and it was not unusual for him to have five hundred guests at once. Sir Harry Percy, the son of the Earl of Northumberland, had so spacious a town-house that he was able to entertain the king, two dukes, two earls and diverse others at the same time. Visitors of rank never came unattended, and so the host was obliged to provide for a great number of servants as well as their masters. The Duke of Buckingham celebrated the Feast of the Epiphany by a large party: over three hundred strangers sat down to dinner, and of the total number present only one hundred and thirty-four were gentry. This lavish hospitality could not fail to be a drain upon the financial resources of the Aristocracy,

and we find men of high position, like the Duke of Somerset (33 Henry VI), and the Duke of Gloucester (afterwards Richard III) reduced to the necessity of borrowing money. Perhaps this lack of ready money was one of the reasons why nobles were willing to marry the daughters of rich merchants. Some of them replenished their purses by engaging in trade. Ralph, Earl of Westmoreland (1422–4), the Marquis of Suffolk (1445–6), Lawrence, Bishop of Durham (1459–60), and even members of the royal family were amongst those who received licences to export wool.

A few nobles, like Humphrey, Duke of Gloucester, the founder of the Bodleian Library, and Earl Rivers, the patron of Caxton, took an interest in literature. The Earl of Salisbury found time while he was fighting in France to request Lydgate to translate into English a noted French book, Deguileville's *Pelèrinage de la Vie Humaine*. John Tiptoft, Earl of Worcester, called the "Butcher" on account of his cruelties in the Wars of the Roses, was himself a man of letters. These two last examples are particularly interesting because they show the union of widely differing characteristics in the same person. But the favourite pursuits of the majority of the nobles were hunting and fighting. The lives of their descendants in the present day, are in comparison with theirs, very quiet and humdrum, but much more respectable.

CHAPTER III

CHARACTERISTICS OF TOWN LIFE

A STUDY of town life in the Middle Ages brings us into contact with one of the most interesting phases of social history, and reveals the manners and modes of thought of that class which is still the backbone of the nation. A small number of towns, founded by Edward I, were free from the beginning, but the majority were hampered in the early stages of their growth by services due to manorial lords. By degrees they shook off these disabilities, and in the later Middle Ages they possessed extensive powers of self-government: a few of them even had their own mints. They were treated with consideration and respect by the Crown: when Henry VII concluded a commercial treaty with Burgundy, he sent the document to all the chief towns in England, so that the mayors might affix the civic seals. The loans so frequently granted by towns to the king afford us a measure of their wealth, and also suggest one of the causes of their growing importance. The absorption of the nobles in warfare was another circumstance which favoured their development. With the single exception of the Cinque Ports, English towns did not form confederations like many of the German and Italian cities, but

each stood apart by itself, and carried on negotiations with its neighbours almost as if it were a separate state. The townsmen were completely taken up with their own affairs, and cared little for public business: their interests were municipal rather than national, and the prosperity of their town was of more moment to them than that of the country. To us who have a wider outlook, they may seem terribly narrow and self-centred, but their intense local patriotism was the result of their struggle for liberty, and without it they could not have won the victory.

The towns exercised with great vigour the rights they had gained. Within very vaguely defined limits they had legislative powers. They had no authority to contravene the law of the land, but they could supplement it. For example, when they were proclaiming the royal ordinance against unlawful games, they could add to the list of prohibited amusements some sport of which they especially disapproved. The Coventry Leet Book, which records the doings of the Leet of that town acting in the capacity of a Town Parliament, shows the subjects with which its by-laws dealt, and its methods of procedure. Like the Parliament at Westminster, the Leet based much of its legislation upon petitions presented to it. Many ordinances were passed concerning the repair of the roads, the sanitary condition of the town, its preservation against fire, and other precautions necessary for its material welfare. Much thought was devoted to the prevention and punishment of immorality. Sometimes the Leet seems to have been very grandmotherly: on one occasion it forbade any unmarried

woman, under the age of fifty, to take a house or room by herself, but required her to go into domestic service, on pain of a fine for the first offence and imprisonment for the second. This ordinance was, however, made a little less stringent a few years after it was passed. Its enactment proves that there was an appreciable number of single women amongst the working classes. There were also many regulations dealing with trade—the times and places at which goods might be sold, the weights and measures to be used, the penalties for adulteration of food and beverages, the prices which might be charged, and other details.

Towns also possessed their own lawcourts, and, often, very full judicial powers. Nottingham furnishes an example of their privileges in this respect—a charter granted by Henry VI entitled the burgesses to have a court in which cases arising out of contracts, covenants, breaches of the peace, and any other matter happening in the town, could be tried by the mayor (or his deputy) and the sheriffs. The mayor and a certain number of aldermen had power to hear and determine all manner of felonies, murders, trespasses, misprisions, and any other cause whatsoever pertaining to any Justice of the Peace. The burgesses were to have the fines paid by all offenders. The towns were very jealous of these rights, and bitterly resented any appeal from their jurisdiction to an outside court. Harry May, a merchant of Bristol, complained to the chancellor that he was deprived of the freedom of that city because he sued to him against its mayor and chamberlains. Towns decided cases brought before their courts according to

their own customary law, which sometimes differed considerably from the common law. For this reason, and because they are so varied, the borough customs are exceedingly interesting. For us their value lies chiefly in the indications they afford of the characters of their makers, and the light they throw upon the conditions of social life. Less definite and rigid than the common law, they give the impression that the burgesses were not quite so clear and consistent as the lawyers, but that they had an abundance of common sense. They were practical men, and thoroughly competent to effect the compromises so often needed in everyday life. Borough codes seem to show more desire than the common law to protect those who could not protect themselves, and to make more allowances for human weakness. These features are apparent in their treatment of women and children, and in the customs concerning wills. In London a widow, as long as she remained unmarried, had a right to what was called her "chamber," that is, the portion of her husband's tenement or dwelling-house which they had jointly occupied, but by the common law she could only stay in her husband's capital mansion for forty days after his death. The city of London also decreed that wills ought to be executed with due regard to the wishes of the testators, even though the words were defective or not according to the common law. On the other hand, we are appalled by the brutality of some of their punishments. Sandwich ordered that homicides should be buried alive, and that if a man banished for theft returned, his ear should be nailed to a cart-wheel with a fourpenny nail. Romney laid upon the accuser of a

felon the ghastly task of hanging the culprit, if he could not find a hangman.

It is a relief to turn to the penalties inflicted for more trivial offences: their aim seems to have been to make the culprit thoroughly ashamed of himself, and at the same time to provide an object-lesson which would deter his fellow-citizens from following his example; and they show a delightful sense of humour in fitting the punishment to the fault. Men were put in the stocks or the pillory for cheating and perjury, and often escorted to the place of punishment by pipers and trumpeters. A London vintner who had sold unsound wine was condemned to drink a draught of it himself, and the remainder was poured over his head: he was obliged to foreswear his calling, but, five years later, he was readmitted to the trade. Two imposters went about the city begging: they pretended to be dumb; and carried in their hands two ell measures, an iron hook and pincers, and a piece of leather shaped like a tongue, to signify that they were traders, who had been plundered of their goods by pirates, and whose tongues had been drawn out by the hook and cut off with the pincers. They were placed in the pillory three times, with these instruments round their necks, and afterwards imprisoned. Women, for similar misdemeanours, were put in the pillory or on the cucking-stool (the same kind of chair as was used for ducking): no doubt the jeers of the bystanders added greatly to the humiliation of these punishments. At Hereford, scolds were forced to stand in the public road, with their feet bare and their hair hanging about their ears. They were also imprisoned